

AN ACT

relating to telecommunications service discounts for educational institutions, libraries, hospitals, and telemedicine centers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 58.252, Utilities Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Health center" means a federally qualified health center service delivery site.

SECTION 2. Subsection (a), Section 58.253, Utilities Code, is amended to read as follows:

(a) On customer request, an electing company shall provide private network services to:

- (1) an educational institution;
- (2) a library as defined in Section 57.021;
- (3) a nonprofit telemedicine center;
- (4) a public or not-for-profit hospital; ~~[or]~~
- (5) a legally constituted consortium or group of entities listed in this subsection; or
- (6) a health center.

SECTION 3. Subsection (b), Section 58.255, Utilities Code, is amended to read as follows:

(b) An electing company shall offer private network service contracts under this subchapter at 110 ~~[105]~~ percent of the long run incremental cost of providing the private network service,

1 including installation.

2 SECTION 4. Subsection (a), Section 58.258, Utilities Code,
3 is amended to read as follows:

4 (a) Notwithstanding the pricing flexibility authorized by
5 this subtitle, an electing company's rates for private network
6 services may not be increased before January 1, 2016 [~~2012~~].
7 However, an electing company may increase a rate in accordance with
8 the provisions of a customer specific contract.

9 SECTION 5. Subsection (b), Section 58.259, Utilities Code,
10 is amended to read as follows:

11 (b) The tariff rate may not be:

12 (1) distance sensitive; or

13 (2) higher than 110 [~~105~~] percent of the service's
14 statewide average long run incremental cost, including
15 installation.

16 SECTION 6. Subsection (c), Section 58.260, Utilities Code,
17 is amended to read as follows:

18 (c) The rate for the service may not be higher than 110 [~~105~~]
19 percent of the service's long run incremental cost, including
20 installation.

21 SECTION 7. Subsection (b), Section 58.261, Utilities Code,
22 is amended to read as follows:

23 (b) The rate for the service may not be higher than 110 [~~105~~]
24 percent of the service's long run incremental cost, including
25 installation.

26 SECTION 8. Section 58.268, Utilities Code, is amended to
27 read as follows:

1 Sec. 58.268. CONTINUATION OF OBLIGATION. Notwithstanding
2 any other provision of this title, an electing company shall
3 continue to comply with this subchapter until January 1, 2016
4 [~~2012~~], regardless of:

5 (1) the date the company elected under this chapter;
6 or

7 (2) any action taken in relation to that company under
8 Chapter 65.

9 SECTION 9. Subsection (a), Section 59.077, Utilities Code,
10 is amended to read as follows:

11 (a) Notwithstanding the pricing flexibility authorized by
12 this subtitle, an electing company's rates for private network
13 services may not be increased before January 1, 2016 [~~2012~~].

14 SECTION 10. Section 59.083, Utilities Code, is amended to
15 read as follows:

16 Sec. 59.083. CONTINUATION OF OBLIGATION. Notwithstanding
17 any other provision of this title, an electing company shall
18 continue to comply with this subchapter until January 1, 2016
19 [~~2012~~], regardless of:

20 (1) the date the company elected under this chapter;
21 or

22 (2) any action taken in relation to that company under
23 Chapter 65.

24 SECTION 11. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 773 passed the Senate on April 19, 2011, by the following vote: Yeas 28, Nays 3; May 25, 2011, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2011, House granted request of the Senate; May 28, 2011, Senate adopted Conference Committee Report by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

I hereby certify that S.B. No. 773 passed the House, with amendments, on May 24, 2011, by the following vote: Yeas 111, Nays 28, two present not voting; May 27, 2011, House granted request of the Senate for appointment of Conference Committee; May 28, 2011, House adopted Conference Committee Report by the following vote: Yeas 109, Nays 37, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor